

ORDINANCE NO. 696-A

Introduced by Commissioner R. GRAMSON

AN ORDINANCE VACATING THAT PORTION OF MARKET STREET LYING WEST OF THE WEST SIDE OF N. MAIN AVENUE, AND EAST OF THE BURLINGTON NORTHERN RAILROAD RIGHT-OF-WAY, IN THE CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON.

WHEREAS, Robert C. Larson, Trustee for Robert C. Larson and Ardena Larson Trust, petitioned the City of Warrenton to vacate a portion of Market Street lying West of the west side of N. Main Avenue, and east of the Burlington Northern Railroad right-of-way, in the City of Warrenton, County of Clatsop, State of Oregon, more particularly described as:

Beginning at the northwest corner of the intersection of Market Street and North Main Avenue; thence westerly along the north line of Market Street a distance of 97.5 feet to the True Point of Beginning of the line herein described; thence southeasterly along a straight line to a point on the west line of North Main Avenue which point is 35.0 feet southerly as measured along said west line from said northwest corner of said intersection. Situated in the City of Warrenton, County of Clatsop, State of Oregon.

And the City Commission of the City of Warrenton having found no reason manifestly existing why the vacation of those portions should not be allowed at least in whole or in part, and notice having fixed the time for formal hearing on this petition at the hour of 8:00 p.m. on the 2nd day of July, 1980 in the City Hall of the City of Warrenton, and

WHEREAS, due notice of the time and place of said hearing was given as by law required and as set out in the affidavit of Gilbert Gramson, City Manager, who posted the required notice, and the affidavit of the Daily Astorian which performed the newspaper publications, which is also filed herein, and

WHEREAS, a formal hearing was held at the hour of 8:00 p.m. on the 2nd day of July, 1980, and the petition initiating the vacation proceedings was read and no objections thereto were heard by the city commission, and that none of the owners of a majority of the area affected thereby objected in writing thereto, and the written consents of all of the abutting property owners as required by law were obtained, and were examined and the city commission examined and determined that the abutting property owners consents were obtained and that the owners of a majority of the area affected made no objections and that the requisite notices were given by posting and by publication and that the public interest would not be prejudiced by vacation of the portions of the streets described herein which the petition requested be vacated and that matters having been determined in favor of that petitioner by the city of Warrenton, and its City Commission,

NOW, THEREFORE, the City of Warrenton does ordain as follows:


Section 1: That portion of Market Street lying west of the west side of N. Main Avenue, and east of the Burlington Northern Railroad right-of-way, in the City of Warrenton, County of Clatsop, State of Oregon, more particularly described as:

Beginning at the northwest corner of the intersection of Market Street and North Main Avenue; thence westerly along the north line of Market Street a distance of 97.5 feet to the True Point of Beginning of the line herein described; thence southeasterly along a straight line to a point on the west line of North Main Avenue which point is 35.0 feet southerly as measured along said west line from said northwest corner of said intersection. Situated in the City of Warrenton, County of Clatsop, State of Oregon.

be and the same is hereby vacated and said vacation of those portions of that certain named street described herein is hereby made a matter of public record and it is expressly provided that the petitioners shall forthwith pay the costs of obtaining the necessary changes of public record so as to indicate, as required by law, such vacation, and it is hereby provided that the city manager shall file with the County Clerk of the County of Clatsop, State of Oregon, a certified copy of this Ordinance, and file a certified copy of this ordinance with the County Assessor and the County Surveyor. Nothing contained herein shall cause or require the removal or abandonment of any sewer, water main, conduit, pipe of any kind, including wires, poles or any other thing used or intended to be used for any public service, and the right is hereby reserved to maintain, continue, repair, reconstruct, renew, replace, rebuild and/or enlarge any and all such things now or hereafter in the future.

Passed by the City Commission of the City of Warrenton, Oregon, this 16th day of July, 1980.

Examined and approved by the Mayor of the City of Warrenton this 16th day of July, 1980.



Mayor

ATTEST:



Auditor and Police Judge